

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

FILED  
JUL 23 2008  
  
CLERK

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UNITED STATES OF AMERICA, \* CR 08-40026  
\* vs.

Plaintiff,

\*  
\* ORDER  
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AINOI MANILA, a/k/a "Johnny," and  
SOMPHONE SINGSAATH, a/k/a "Mike," \*

Defendants.

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Counsel for Defendant Somphone Singsaath has filed a Second Motion to Continue, Doc. 40, requesting the Court to continue the trial date for a period of at least three (3) weeks, and the Government has no objection. After consideration of the file in this matter, the Court finds that failure to grant the continuance of the trial date would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendants in a speedy trial. For all of those reasons as well as those set forth in the Motion,

IT IS ORDERED:

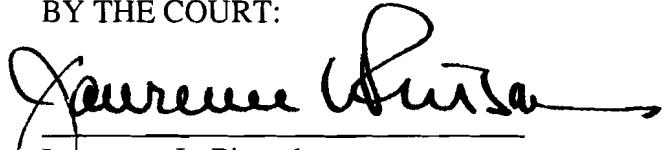
1. That Defendant Somphone Singsaath's Second Motion to Continue, Doc. 40, is granted.
2. That August 12, 2008, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
3. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
4. That the jury trial herein for Defendants shall commence in Sioux Falls, South Dakota, on Tuesday, September 9, 2008, with counsel to be present for

motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.

5. That if this case goes to trial, it will be transferred to the Honorable John B. Jones.
6. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendants must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendants in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

Dated this 23<sup>rd</sup> day of July, 2008.

BY THE COURT:



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Lawrence L. Piersol  
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: Sally Maigneau  
DEPUTY